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 CITY AND COUNTY OF SAN FRANCISCO

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

CITY AND COUNTY OF SAN FRANCISCO,

Plaintiff,

v.

CITY OF OAKLAND AND PORT OF  
 OAKLAND,

Defendants.

AND RELATED COUNTERCLAIM

Case No. 3:24-CV-02311-TSH

**STIPULATED DISMISSAL OF PLAINTIFF'S  
 CLAIMS AGAINST THE CITY OF OAKLAND  
 BY AND THROUGH ITS CITY COUNCIL  
 WITHOUT PREJUDICE**

1 Plaintiff City and County of San Francisco (“Plaintiff”), and Defendant the City of Oakland  
 2 by and through its City Council (“City of Oakland”), (together, the “Parties” and, each, a “Party”),  
 3 by and through their undersigned attorneys, hereby stipulate and agree pursuant to Federal Rule of  
 4 Civil Procedure 41(a)(1)(A)(ii) that all claims Plaintiff asserted against Defendant the City of  
 5 Oakland by and through its City Counsel in the above-captioned action are hereby dismissed  
 6 without prejudice, with each Party to bear its own costs, expenses, and attorneys’ fees.

7 Defendant City of Oakland, a municipal corporation, acting by and through its Board of  
 8 Port Commissioners (“Port of Oakland”) agrees to the foregoing dismissal of claims as between  
 9 Plaintiff and the City of Oakland. Nothing herein is intended to address or dismiss any claims or  
 10 relief between Plaintiff and the Port of Oakland, including but not limited to claims for fees and  
 11 costs. The dismissal applies only to the City of Oakland.

12  
 13 **IT IS SO STIPULATED.**

14 Dated: November 13, 2024

COOLEY LLP

16 /s/ John H. Hemann

17 John H. Hemann

18 Attorneys for Plaintiff  
 City and County of San Francisco

19  
 20 Dated: November 13, 2024

FENNEMORE WENDEL & FENNEMORE  
 CRAIG, P.C.

22 /s/ Brandi Balanda

23 Brandi Balanda

24 Attorneys for Defendant City of Oakland, a  
 25 municipal corporation, acting by and through its  
 Board of Port Commissioners

1 Dated: November 13, 2024

OFFICE OF THE OAKLAND CITY  
ATTORNEY

2  
3  
4 /s/ Christina Lum  
Christina Lum

5 Attorneys for Defendant City of Oakland by and  
6 through its City Council

7  
8 **ATTETESTATION**

9 Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), I hereby attest that all signatories  
10 listed, and whose behalf the filing is submitted, concur in the filing's content and have authorized  
11 the filing.

12 /s/ John H. Hemann  
John H. Hemann